

Remarks

Claim Rejections – 35 USC § 102

The Office has presented rejections for claims 41, 52 and 53 under 35 USC 102(e) as being anticipated by United States Patent Number 6,799,046 issued in the name of Tang.

With regards to claim 41, the Office alleges that Tang describes each and element recited in the claim. The applicant respectfully disagrees.

Tang teaches locating a cellular telephone by performing a comparison between the RSSI vector (which is one event on the cellular network and which is collected over a grid of locations) and the MAHO list (which is one event on the cellular network).

Although the applicant continues to stand by the arguments presented with regards to Tang in the September 1, 2009 response, the applicant has further amended claim 41 to include the element of further defining the step of conducting analysis. Amended claim 41 recites that the analysis is performed for areas in which at least two roads are covered, at least partially, by the same two or more cells. As this element is not described in Tang, the applicant respectfully submits that claim 41 is in condition for allowance.

With regards to claim 53, the Office alleges that *Tang* describes each and element recited in the claim as presented with respect to claim 41 and, the Office further alleges the claim 53 of the analysis being on extraction of handover related messages is also described in *Tang*. The applicant respectfully disagrees.

Although the applicant continues to stand by the arguments presented with regards to Tang in the September 1, 2009 response, the applicant has further amended claim 53 to include additional elements. Namely, the applicant has amended claim 53 to include some additional limitations presented in claim 41, as well as the limitations presented in allowable claim 48.

With regards to claim 52, the applicants assert that claim 52 depends from allowable claim 41 and as such, is also in condition for allowance.

Allowable Subject Matter

The Office has indicated that claims 47, 48, 50, 51, 54, 60-62, 65 and 66 are objected to for being based on a rejected claim but that if rewritten in independent form would be allowable. The applicant telephoned the Office regarding a discrepancy between the claims listed as being objected to in the Office Action Summary versus the claims enumerated in the body of the office action. The examiner indicated that claims 42-51 and 67 should also have been identified in the body of the office action as objected to for being based on a rejected claim. However, as presented above, the applicant submits that these claims actually depend from allowable base claims and as such are also in condition for allowance as is.

The Office has indicated that claim 63 is allowed.

Conclusion

Thus, the applicant has shown that each of the currently pending claims is allowable over the cited references and such action is respectfully request of the Office.

If the Office has any questions or if there are any actions that can be handled through an Examiner's Amendment, the applicant requests the Office to contact the attorney of record using the below-provided contact information.

Respectfully submitted,

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